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Filing date: **02/06/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	PrÃ©verco Inc.		
Entity	Corporation	Citizenship	Canada
Address	285 de Rotterdam Saint-Augustin-de-Desmaures, QC G3A 2E5 CANADA		

Attorney information	Michael J. Leonard Panitch Schwarze Belisario & Nadel LLP 2005 Market Street, Suite 2200 Philadelphia, PA 19103 UNITED STATES usptotm@panitchlaw.com,mleonard@panitchlaw.com,jsullivan@panitchlaw.com Phone:215-965-1390
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Registration Subject to Cancellation

Registration No	3163848	Registration date	10/24/2006
Registrant	GEMINI FLOORING HOLDINGS, LLC 2151 LEJEUNE ROAD SUITE 307 CORAL GABLES, FL 33134 UNITED STATES		

Goods/Services Subject to Cancellation

Class 019. First Use: 2005/03/00 First Use In Commerce: 2005/03/00 All goods and services in the class are cancelled, namely: Laminate flooring
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Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	00487281.PDF (4 pages)(128119 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/John P. Sullivan/
Name	John P. Sullivan
Date	02/06/2013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

PRÉVERCO, INC.	:	
	:	
Petitioner,	:	U.S. Reg. No. 3,163,848
	:	
v.	:	Mark: INSPIRATION COLLECTION
	:	
GEMINI FLOORING HOLDINGS, LLC	:	Cancellation No. _____
	:	
Respondent.	:	
	:	

PETITION FOR CANCELLATION

PRÉVERCO, INC, a corporation organized and existing under the laws of Canada, believes that it will be damaged by the continued registration of the mark identified above and hereby petitions to cancel the registration.

As grounds for this Petition for Cancellation, Petitioner alleges that:

1. Petitioner, Préverco Inc. is a corporation organized and existing under the laws of Canada, located and doing business at located 285 de Rotterdam, Saint-Augustin-de-Desmaures G3A 2E5, Quebec, Canada.
2. Upon information and belief, Respondent is the owner, by virtue of an Assignment recorded on 19 May 2008, of Registration No. 3,163,848, issued on 24 October 2006, for the mark INSPIRATION COLLECTION covering goods described as “laminated flooring.”

3. Upon information and belief, the INSPIRATION COLLECTION mark of Registration No. 3,163,848 has not been used by Respondent within the past three years.
4. Upon information and belief, the mark of Registration No. 3,163,848 has been abandoned by Respondent by discontinuing use of said mark with no intent to resume use of this mark.
5. Petitioner is the owner of the trademark INSPIRATION used in commerce in connection with goods described as “flooring.”
6. As a result of Petitioner’s use of its INSPIRATION mark in the United States, and upon information and belief, Petitioner will be damaged by the continued Registration of the INSPIRATION COLLECTION mark of Registration No. 3,163,848.
7. Petitioner is also the owner of Application Serial No. 85/842525 for the mark INSPIRATION filed 6 February 2013. Upon information and belief, Petitioner will be damaged by the continued registration of the INSPIRATION COLLECTION mark as this mark may be cited to by the U.S. Patent and Trademark Office as a bar to registration of Petitioner’s INSPIRATION mark of Application Serial No. 85/842525.

WHEREFORE, Petitioners pray that this Petition for Cancellation be granted, and Respondent's U.S. Registration No. 3,163,848 be cancelled.

Petitioners have appointed Michael J. Leonard, a member of the law firm of Panitch, Schwarze, Belisario & Nadel LLP and the Bars of the District of Columbia and the

Commonwealth of Pennsylvania, and John P. Sullivan, a member of the Bar of the Commonwealth of Pennsylvania, to prosecute this cancellation proceeding and to transact all business in and before the United States Patent and Trademark Office in connection herewith.

Please address all correspondence to:

Michael J. Leonard
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One Commerce Square
2005 Market Street - Suite 2200
Philadelphia, PA 19103-7013
215.965.1390 (direct)
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mleonard@panitchlaw.com

The Commissioner is hereby authorized to charge the filing fee for this Petition to Cancel in the amount of \$300.00 and any additional fees which may be required to Account No. 501017.

Respectfully submitted,

PRÉVERCO, INC.

Date: February 6, 2013

By: 

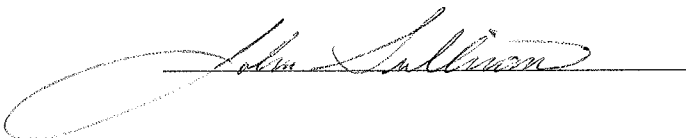
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Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Petition for Cancellation was served on Respondent's counsel as listed in the records of the U.S. Patent and Trademark Office this 6th day of February 2013 by sending same via First Class Mail, postage prepaid, to:

Janet T. Munn
Epstein Becker & Green, P.C.
Suite 4300, Wachovia Financial Center
200 South Biscayne Boulevard
Miami, FL 33131

A handwritten signature in cursive script, appearing to read "Adam Sullivan", is written over a horizontal line.